

ty-third Legislature, Regular Session, in so far as same may apply to the San Antonio Independent School District in Bexar County, Texas, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, February 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 28, Commending State Board of Education and each county superintendent of public schools for teaching history in high schools when students' minds are mature and can grasp the significance of such subjects,

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, February 5, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 21, Requesting the Interscholastic League of Texas to include in the subject matter of the declamations and essays the lives and deeds of all heroes of the Southern Confederacy and of the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

TWENTIETH DAY

(Continued)

(Wednesday, February 6, 1935)

The House met at 10 o'clock a. m., and was called to order by Speaker Stevenson.

TO PROVIDE FOR THE APPOINTMENT OF A COMMITTEE TO STUDY EXPENDITURES OF STATE FUNDS

The Speaker laid before the House, as pending business, House simple

resolution by Mr. King, Mr. Pope and others, relative to the appointment of committee to study expenditures of State funds, etc., the resolution having heretofore been read second time, with amendment by Mr. Pope, pending.

Question recurring on the amendment by Mr. Pope, it was adopted.

Mr. Pope offered the following amendment to the resolution:

Amend the resolution by adding at the end of Section 6 the following:

"Provided, that the committee make its investigation and report not later than March 15, 1935."

The amendment was adopted.

Mr. Hardin offered the following amendment to the resolution:

Amend the resolution by adding the following paragraph: "Be it further resolved that the expenses of this investigation committee shall be not more than one thousand dollars (\$1,000)."

The amendment was adopted.

Question recurring on the resolution, as amended, yeas and nays were demanded.

The resolution was then adopted by the following vote:

Yeas—111

Adamson	Fain
Adkins	Farmer
Aikin	Fisher
Alsup	Fitzwater
Ash	Fox
Atchison	Gibson
Bourne	Glass
Bradbury	Gray
Bradford	Hankamer
Broyles	Hardin
Burton	Harris of Archer
Butler of Karnes	Harris of Dallas
Calvert	Hartzog
Canon	Head
Celaya	Herzik
Clayton	Hodges
Collins	Hoskins
Cooper	Howard
Cowley	Huddleston
Craddock	Hunt
Crossley	Hunter
Davis	Hyder
Davisson	Jackson
of Eastland	James
Dickison	Jefferson
Dunlap of Hays	Jones of Atascosa
Dunlap of Kleberg	Jones of Runnels
Duvall	Jones of Shelby
Dwyer	Jones of Wise
England	Keefe

King	Reader
Knetsch	Reed of Dallas
Lanning	Riddle
Latham	Roach of Angelina
Lemens	Roach of Hunt
Lindsey	Roane
Lucas	Roark
Luker	Roberts
Mauritz	Rutta
McCalla	Settle
McConnell	Smith
McFarland	Stanfield
McKinney	Stinson
Moffett	Stovall
Moore	Tarwater
Morris	Tennyson
Morrison	Thornton
Newton	Tillery
Nicholson	Venable
Olsen	Waggoner
Padgett	Walker
Palmer	Westfall
Patterson	Wood of Harrison
Payne	Wood of Montague
Petsch	Worley
Pope	Youngblood

Nays—14

Alexander	Leath
Bergman	Morse
Butler of Brazos	Russell
Cagle	Scarborough
Daniel	Shofner
Ford	Steward
Jones of Falls	Wells

Absent

Beck	Holland
Colson	Hughes
Davison of Fisher	Lange
Dunagan	Leonard
Frazer	Lotief
Fuchs	McKee
Good	Quinn
Graves	Rogers
Hill	Young
Hofheinz	

Absent—Excused

Caldwell	Reed of Bowie
Colquitt	Spears
Greathouse	

TO PROVIDE FOR CERTAIN
INVESTIGATION

Mr. Petsch asked unanimous consent of the House to take up, for consideration at this time, House simple resolution heretofore offered, relative to making certain investigation in regard to the Permanent School Fund.

There was no objection offered, and it was so ordered.

The Speaker then laid the resolution before the House;

The resolution having been read second time on Wednesday, January 23, and referred to the Committee on Education;

The Committee on Education having recommended the adoption of the resolution.

Mr. Petsch offered the following committee amendment to the resolution:

Amend the resolution by substituting the following in lieu thereof:

"Whereas, The Permanent School Fund of the State of Texas, theoretically amounting to approximately forty million dollars (\$40,000,000), constitutes one of the most priceless heritages left to posterity by the former statesmen of Texas; and

"Whereas, Such fund plays an important part in supplementing the Available School Funds of this State, and contributes liberally to the education of the children of today and will, if properly protected, so function in the future; and

"Whereas, The duty devolves upon the Legislature of the State of Texas to create every possible and practical safeguard for the protection and future maintenance of said fund; and

"Whereas, The records indicate that between the fifteenth day of January, 1931, and the twentieth day of June, 1933, the Board of Education—custodians and managers of the Permanent School Fund—invested the sum of two million four hundred seventy-six thousand, five hundred dollars (\$2,476,500) in various and sundry refunding bonds; and

"Whereas, At the time of such purchases the money paid by the Board of Education for such bonds went to the discharge of the original bonds held by investors other than the Permanent Fund, and which bonds possibly in many instances had been in default in the payment of accrued principal and interest for many years by virtue of the debtors' inability to meet such bond payments; and

"Whereas, Upon the face of such a record the conclusion that such bonds may possibly prove to be of small value, or in some instances may prove to be even worthless, presents itself as practically inescapable; and

"Whereas, Since the thirtieth day of June, 1933, the State Board of Education further apparently invested in such refunding bonds the additional sum of five million, five hun-

dred sixty-one thousand, ninety-seven dollars and ninety-five cents (\$5,561,-097.95); and

"Whereas, Since the last named date the Board of Education invested only the sum of one million, seven hundred three thousand, nine hundred eighty dollars (\$1,703,980) in bonds other than such refunding bonds; and

"Whereas, It is self-evident that the members of the Board of Education are not necessarily bond experts, and the purchase of all of these refunding bonds—though in all probability made in good faith—are nevertheless pertinently a matter of warranting legislative scrutiny; and

"Whereas, The aforementioned facts are not set forth with the purpose of reflecting in any way upon the honesty or the good intentions of the members of the Board of Education by virtue of the fact that the acts of said Board may have been unavoidable because of the mandates of the laws of this State; and

"Whereas, In such case the remedy for the future better protection of the Permanent School Fund would lie in legislative action changing such governing statutes; and

"Whereas, These last named conditions, together with the other facts heretofore set out, establish the necessity of a legislative investigation; therefore, be it

"Resolved, (1) That a committee of seven (7) members of the House of Representatives be appointed by the Speaker of the House, to investigate the aforementioned conditions in relation to the Permanent School Fund of this State; that such committee shall make its report and/or its findings and recommendations to the Governor of Texas and the Speaker of the House of Representatives within thirty (30) days from the adoption of this report; and

"(2) That said committee be authorized to call upon the State Auditor for assistance in making the investigation, and/or in the event that such auditor is not in possession of sufficient or competent personnel to perform the requirements of the committee, then in such case the committee is hereby empowered to employ such auditor as in its judgment may be necessary; the committee is further authorized to call upon the Attorney General's Department to furnish the committee with such coun-

sel as is needed; the committee is hereby granted the right to employ reporters for the purpose of making a record of the committee's proceedings, to take and transcribe such testimony as may be heard and to write the report to the committee; the committee is further authorized to summon witnesses and to swear the same by and through its chairman and/or acting chairman; all subpoenas for witnesses shall be directed to such officers in this State as are authorized under the Constitution and laws of this State to execute subpoenas for witnesses; and that all witnesses appearing before the committee upon its request shall be paid such fees as are now provided by law for the payment of witnesses appearing in the trial of felony cases; and

"(3) That all expenses incurred and accruing by virtue of operation of the committee shall be paid by means of warrants issued by the Chief Clerk of the House of Representatives and upon certificates directed to such clerk and signed by the chairman and/or acting chairman of the committee, out of the Contingent Funds of the Regular Session of the Forty-fourth Legislature of the State of Texas."

Mr. Hardin offered the following amendment to the committee amendment:

Amend committee amendment by adding the following paragraph:

"Be it further resolved, That the investigation called for in this resolution shall be handled by the committee appointed in accordance with House Simple Resolution No. 39. An appropriation of \$1,000 is made with this resolution."

The amendment by Mr. Hardin was adopted.

Question recurring on the committee amendment, as amended, it was adopted.

The resolution, as amended, was then adopted.

HOUSE BILL NO. 185 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 185, A bill to be entitled "An Act to amend Section 15, paragraph 3, of the Acts of the Regular Session of the Forty-third Legisla-

ture, relating to the appointment of grand jury bailiffs of the Criminal District Court of Bexar County."

The bill was read second time.

Mr. McConnell raised a point of order on further consideration of the bill at this time on the ground that notice of intention to pass same has not been published in accordance with the provisions of Section 57 of Article III of the State Constitution.

The Speaker sustained the point of order.

HOUSE BILL NO. 81 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 81, A bill to be entitled "An Act extending and enlarging the territorial boundaries and corporate limits of the City of Texas City, so as to include within such boundaries and limits an uninhabited parcel of land owned by said city and contiguous to the present boundaries thereof, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 81 ON THIRD READING

Mrs. Moore moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 81 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

Adamson	Cooper
Adkins	Cowley
Aikin	Crossley
Alexander	Davis
Alsup	Davison of Fisher
Ash	Davisson
Atchison	of Eastland
Beck	Dickison
Bourne	Dunlap of Hays
Bradbury	Dunlap of Kleberg
Bradford	Duvall
Broyles	Dwyer
Burton	England
Butler of Brazos	Fain
Butler of Karnes	Farmer
Calvert	Fisher
Canon	Fitzwater
Clayton	Ford
Collins	Fox

Frazer	Moffett
Fuchs	Moore
Gibson	Morris
Glass	Morrison
Good	Newton
Gray	Nicholson
Hankamer	Olsen
Hardin	Padgett
Harris of Archer	Palmer
Harris of Dallas	Patterson
Hartzog	Petsch
Head	Pope
Herzik	Quinn
Hodges	Reader
Holland	Reed of Dallas
Hoskins	Riddle
Howard	Roach of Angelina
Huddleston	Roach of Hunt
Hunt	Roane
Hunter	Roark
Hyder	Roberts
Jackson	Rogers
James	Russell
Jones of Atascosa	Rutta
Jones of Falls	Scarborough
Jones of Runnels	Settle
Jones of Shelby	Shofner
Jones of Wise	Smith
Keefe	Steward
King	Stovall
Knetsch	Tarwater
Lange	Tennyson
Lanning	Thornton
Latham	Tillery
Lemens	Venable
Lindsey	Waggoner
Lucas	Walker
Luker	Westfall
Mauritz	Wood of Harrison
McCalla	Wood of Montague
McConnell	Worley
McFarland	Young
McKee	Youngblood
McKinney	

Absent

Bergman	Hughes
Cagle	Jefferson
Celaya	Leath
Colson	Leonard
Craddock	Lotief
Daniel	Morse
Dunagan	Payne
Graves	Stanfield
Hill	Stinson
Hofheinz	Wells

Absent—Excused

Caldwell	Reed of Bowie
Colquitt	Spears
Greathouse	

The Speaker then laid House Bill No. 81 before the House on its third reading and final passage.

The bill was read third time, and was passed.

Mrs. Moore moved to reconsider the vote by which House Bill No. 81 was passed.

The motion to reconsider prevailed.

House Bill No. 81 was then passed by the following vote:

Yeas—118

Adamson	Jefferson
Aikin	Jones of Atascosa
Alexander	Jones of Falls
Alsup	Jones of Runnels
Atchison	Jones of Shelby
Beck	Jones of Wise
Bergman	Keefe
Bourne	King
Bradbury	Knetsch
Bradford	Lanning
Broyles	Latham
Burton	Leath
Butler of Brazos	Lemens
Butler of Karnes	Lindsey
Cagle	Lucas
Calvert	Mauritz
Clayton	McCalla
Collins	McConnell
Colson	McFarland
Cooper	McKinney
Cowley	Moffett
Craddock	Moore
Crossley	Morris
Daniel	Morrison
Davis	Newton
Davison of Fisher	Padgett
Davisson	Patterson
of Eastland	Payne
Dickison	Quinn
Dunlap of Hays	Reader
England	Reed of Dallas
Fain	Riddle
Farmer	Roach of Angelina
Fisher	Roach of Hunt
Fitzwater	Roane
Fox	Roark
Frazer	Roberts
Fuchs	Russell
Gibson	Rutta
Glass	Scarborough
Graves	Settle
Gray	Shofner
Hankamer	Smith
Hardin	Spears
Harris of Archer	Stanfield
Harris of Dallas	Steward
Hartzog	Stinson
Head	Stovall
Herzik	Tarwater
Hodges	Tennyson
Holland	Thornton
Hoskins	Tillery
Huddleston	Venable
Hunt	Waggoner
Hunter	Walker
Hyder	Wells
Jackson	Wood of Harrison
James	Wood of Montague

Worley
Young

Youngblood

Absent

Adkins	Lange
Ash	Leonard
Canon	Lotief
Celaya	Luker
Dunagan	McKee
Dunlap of Kleberg	Morse
Duvall	Nicholson
Dwyer	Olsen
Ford	Palmer
Good	Petsch
Hill	Pope
Hofheinz	Rogers
Howard	Westfall
Hughes	

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

HOUSE BILL NO. 408 ON SECOND READING

Mr. Russell moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 408 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Adamson	Dickison
Aikin	Dunlap of Hays
Alexander	Dunlap of Kleberg
Alsup	Duvall
Atchison	Dwyer
Beck	England
Bergman	Fain
Bourne	Farmer
Bradford	Fisher
Broyles	Fitzwater
Burton	Ford
Butler of Brazos	Fox
Butler of Karnes	Frazer
Cagle	Gibson
Calvert	Glass
Canon	Good
Clayton	Gray
Collins	Hankamer
Colson	Hardin
Cooper	Harris of Archer
Cowley	Harris of Dallas
Craddock	Hartzog
Crossley	Head
Daniel	Herzik
Davis	Hill
Davison of Fisher	Hodges
Davisson	Howard
of Eastland	Huddleston

Hunter	Pope
Hyder	Quinn
Jackson	Reader
James	Reed of Dallas
Jefferson	Riddle
Jones of Falls	Roach of Hunt
Jones of Runnels	Roane
Jones of Shelby	Roark
Jones of Wise	Roberts
Keefe	Rogers
King	Russell
Knetsch	Rutta
Lange	Scarborough
Lanning	Settle
Latham	Shofner
Lemens	Smith
Leonard	Spears
Lucas	Steward
Mauritz	Stovall
McCalla	Tarwater
McConnell	Tennyson
McFarland	Thornton
McKee	Tillery
McKinney	Venable
Moffett	Waggoner
Moore	Walker
Morris	Wells
Morrison	Westfall
Newton	Wood of Harrison
Nicholson	Wood of Montague
Padgett	Worley
Palmer	Young
Petsch	Youngblood

Present—Not Voting

Luker

Absent

Adkins	Jones of Atascosa
Ash	Leath
Bradbury	Lindsey
Celaya	Lotief
Dunagan	Morse
Fuchs	Olsen
Graves	Patterson
Hofheinz	Payne
Holland	Roach of Angelina
Hoskins	Stanfield
Hughes	Stinson
Hunt	

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 408, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than fifteen thousand nine hundred and seventy-five (15,975) nor more than sixteen thousand and twenty-five (16,025) inhabitants, according to the last preceding United States Census,

and providing how same shall be paid; providing that such shall be the salary of said commissioners so long as the taxable values in said counties shall exceed the sum of four million one hundred thousand dollars (\$4,100,000) for the next preceding year; providing that all laws or parts of laws in conflict with this Act are hereby expressly repealed, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 408 ON THIRD READING

The Speaker then laid House Bill No. 408 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—120

Adamson	Glass
Aikin	Good
Alexander	Gray
Alsup	Hankamer
Ash	Hardin
Atchison	Harris of Archer
Beck	Harris of Dallas
Bergman	Hartzog
Bourne	Head
Bradford	Herzik
Broyles	Hodges
Burton	Hoskins
Butler of Brazos	Howard
Butler of Karnes	Huddleston
Cagle	Hunt
Calvert	Hunter
Canon	Hyder
Clayton	James
Collins	Jones of Atascosa
Colson	Jones of Falls
Cooper	Jones of Runnels
Craddock	Jones of Shelby
Crossley	Jones of Wise
Davis	Keefe
Davison of Fisher	King
Davison of Eastland	Knetsch
Dickison	Lange
Dunlap of Hays	Lanning
Dunlap of Kleberg	Latham
Duvall	Leath
England	Lemens
Fain	Lucas
Farmer	Mauritz
Fisher	McCalla
Fitzwater	McConnell
Ford	McKee
Fox	McKinney
Frazer	Moffett
Fuchs	Moore
Gibson	Morris
	Morrison

Newton	Shofner
Nicholson	Smith
Padgett	Spears
Palmer	Steward
Patterson	Stovall
Payne	Tarwater
Petsch	Tennyson
Pope	Thornton
Reader	Tillery
Reed of Dallas	Venable
Riddle	Waggoner
Roach of Angelina	Walker
Roach of Hunt	Wells
Roane	Westfall
Roark	Wood of Harrison
Rogers	Wood of Montague
Russell	Worley
Rutta	Young
Scarborough	Youngblood
Settle	

Present—Not Voting

Quinn

Absent

Adkins	Jackson
Bradbury	Jefferson
Celaya	Leonard
Cowley	Lindsey
Daniel	Lotief
Dunagan	Luker
Dwyer	McFarland
Graves	Morse
Hill	Olsen
Hofheinz	Roberts
Holland	Stanfield
Hughes	Stinson

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

HOUSE BILL NO. 53 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 53, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than five thousand two hundred and fifty-three (5,253) inhabitants, nor more than five thousand two hundred and ninety (5,290) inhabitants, according to the last Federal Census; and counties with a population of not less than seven thousand six hundred and forty-five (7,645) inhabitants, nor more than seven thousand six hundred and ninety (7,690) inhabitants, according to the last Federal Census as to population, and providing for the manner and the funds from which said salary shall be paid; repealing

all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 53 ON THIRD
READING

Mr. Jones of Runnels moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—127

Adamson	Hartzog
Aikin	Head
Alexander	Herzik
Alsup	Hodges
Ash	Holland
Atchison	Hoskins
Beck	Howard
Bergman	Huddleston
Bourne	Hunt
Broyles	Hunter
Burton	Hyder
Butler of Brazos	Jackson
Butler of Karnes	James
Cagle	Jefferson
Calvert	Jones of Atascosa
Canon	Jones of Falls
Clayton	Jones of Runnels
Collins	Jones of Shelby
Cooper	Jones of Wise
Craddock	Keefe
Crossley	King
Daniel	Knetsch
Davis	Lange
Davison of Fisher	Lanning
Davisson	Latham
of Eastland	Lemens
Dickison	Leonard
Dunlap of Hays	Lucas
Dunlap of Kleberg	Luker
Duvall	Mauritz
Dwyer	McCalla
England	McConnell
Fain	McFarland
Farmer	McKee
Fisher	McKinney
Fitzwater	Moffett
Ford	Moore
Fox	Morris
Frazer	Morrison
Fuchs	Morse
Gibson	Newton
Glass	Nicholson
Good	Padgett
Gray	Patterson
Hankamer	Payne
Hardin	Petsch
Harris of Archer	Pope
Harris of Dallas	Quinn

Reader	Stinson
Riddle	Stovall
Roach of Angelina	Tarwater
Roach of Hunt	Tennyson
Roane	Thornton
Roark	Tillery
Rogers	Venable
Russell	Waggoner
Rutta	Walker
Scarborough	Wells
Settle	Westfall
Shofner	Wood of Harrison
Smith	Wood of Montague
Spears	Worley
Stanfield	Young
Steward	Youngblood

Absent

Adkins	Hofheinz
Bradbury	Hughes
Bradford	Leath
Celaya	Lindsey
Colson	Lotief
Cowley	Olsen
Dunagan	Palmer
Graves	Reed of Dallas
Hill	Roberts

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

The Speaker then laid House Bill No. 53 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—124

Adamson	Dunlap of Hays
Aikin	Dunlap of Kleberg
Alexander	Duvall
Alsup	England
Beck	Fain
Bergman	Farmer
Bourne	Fisher
Bradbury	Fitzwater
Broyles	Ford
Burton	Fox
Butler of Brazos	Frazer
Butler of Karnes	Fuchs
Cagle	Gibson
Calvert	Glass
Canon	Gray
Clayton	Hankamer
Collins	Hardin
Cooper	Harris of Archer
Craddock	Harris of Dallas
Crossley	Hartzog
Daniel	Head
Davis	Herzik
Davison of Fisher	Hodges
Davison	Holland
of Eastland	Hoskins
Dickison	Howard

Huddleston	Payne
Hunt	Petsch
Hunter	Pope
Hyder	Reader
Jackson	Reed of Dallas
James	Riddle
Jefferson	Roach of Angelina
Jones of Atascosa	Roach of Hunt
Jones of Falls	Roane
Jones of Runnels	Roark
Jones of Shelby	Rogers
Jones of Wise	Russell
Keefe	Rutta
King	Scarborough
Knetsch	Settle
Lange	Shofner
Lanning	Smith
Latham	Spears
Lemens	Stanfield
Leonard	Steward
Lindsey	Stinson
Lucas	Stovall
Luker	Tarwater
McCalla	Tennyson
McConnell	Thornton
McFarland	Tillery
McKee	Venable
McKinney	Waggoner
Moffett	Walker
Moore	Wells
Morris	Westfall
Morrison	Wood of Harrison
Newton	Wood of Montague
Nicholson	Worley
Padgett	Young
Palmer	Youngblood
Patterson	

Present—Not Voting

Quinn

Absent

Adkins	Graves
Ash	Hill
Atchison	Hofheinz
Bradford	Hughes
Celaya	Leath
Colson	Lotief
Cowley	Mauritz
Dunagan	Morse
Dwyer	Olsen
Good	Roberts

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

HOUSE BILL NO. 132 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 132, A bill to be entitled "An Act amending Article 2350, Chapter 44, of the Revised Civil Statutes of Texas, 1925, as amended by Act of

the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by Act of the Fortieth Legislature, page 435, Chapter 490, Section 1, etc., and declaring an emergency."

The bill was read second time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 132 was then passed to engrossment.

HOUSE BILL NO. 132 ON THIRD READING

Mr. Rogers moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 132 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—125

Adamson	Glass
Aikin	Gray
Alexander	Hankamer
Alsup	Hardin
Atchison	Harris of Archer
Beck	Harris of Dallas
Bergman	Hartzog
Bourne	Head
Bradbury	Herzik
Broyles	Hodges
Burton	Holland
Butler of Brazos	Hoskins
Butler of Karnes	Howard
Cagle	Huddleston
Calvert	Hunt
Canon	Hunter
Clayton	Hyder
Collins	Jackson
Cooper	James
Craddock	Jefferson
Crossley	Jones of Atascosa
Daniel	Jones of Falls
Davison of Fisher	Jones of Runnels
Dickison	Jones of Shelby
Dunlap of Hays	Jones of Wise
Dunlap of Kleberg	Keefe
Duvall	King
Dwyer	Knetsch
England	Lange
Fain	Lanning
Farmer	Latham
Fisher	Lemens
Fitzwater	Leonard
Ford	Lindsey
Fox	Lucas
Frazer	Mauritz
Fuchs	McCalla
Gibson	McFarland

McKee	Rutta
McKinney	Scarborough
Moffett	Settle
Moore	Shofner
Morris	Smith
Morrison	Spears
Morse	Stanfield
Newton	Steward
Nicholson	Stinson
Padgett	Stovall
Palmer	Tarwater
Patterson	Tennyson
Payne	Thornton
Petsch	Tillery
Pope	Venable
Quinn	Waggoner
Reader	Walker
Reed of Dallas	Wells
Riddle	Westfall
Roach of Angelina	Wood of Harrison
Roach of Hunt	Wood of Montague
Roane	Worley
Roark	Young
Rogers	Youngblood
Russell	

Absent

Adkins	Graves
Ash	Hill
Bradford	Hofheinz
Celaya	Hughes
Colson	Leath
Cowley	Lotief
Davis	Luker
Davison	McConnell
of Eastland	Olsen
Dunagan	Roberts
Good	

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

The Speaker then laid House Bill No. 132 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—117

Adamson	Craddock
Aikin	Crossley
Alexander	Daniel
Alsup	Davison of Fisher
Atchison	Dickison
Bergman	Dunlap of Hays
Bradbury	Dunlap of Kleberg
Broyles	Duvall
Burton	Dwyer
Butler of Brazos	England
Butler of Karnes	Fain
Cagle	Farmer
Calvert	Fisher
Canon	Ford
Clayton	Fox
Collins	Frazer
Cooper	Fuchs

Gibson	Morse
Glass	Newton
Gray	Nicholson
Hankamer	Padgett
Hardin	Palmer
Harris of Archer	Patterson
Harris of Dallas	Payne
Hartzog	Petsch
Hodges	Pope
Holland	Reader
Hoskins	Reed of Dallas
Howard	Riddle
Hunter	Roach of Angelina
Hyder	Roach of Hunt
Jackson	Roark
James	Rogers
Jefferson	Russell
Jones of Atascosa	Rutta
Jones of Falls	Scarborough
Jones of Runnels	Settle
Jones of Shelby	Shofner
Jones of Wise	Smith
Keefe	Spears
King	Stanfield
Knetsch	Steward
Lange	Stinson
Lanning	Stovall
Latham	Tarwater
Lemens	Tennyson
Leonard	Thornton
Lindsey	Tillery
Lucas	Venable
Mauritz	Waggoner
McCalla	Walker
McConnell	Wells
McFarland	Westfall
McKee	Wood of Harrison
McKinney	Wood of Montague
Moffett	Worley
Moore	Young
Morris	Youngblood
Morrison	

Present—Not Voting

Herzik	Quinn
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Absent

Adkins	Graves
Ash	Head
Beck	Hill
Bourne	Hofheinz
Bradford	Huddleston
Celaya	Hughes
Colson	Hunt
Cowley	Leath
Davis	Lotief
Davisson	Luker
of Eastland	Olsen
Dunagan	Roane
Fitzwater	Roberts
Good	

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

HOUSE BILL NO. 309 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 309, A bill to be entitled "An Act to fix the salaries of county commissioners in counties with a population of not less than 42,100 and not more than 42,600, according to the last Federal Census, and declaring an emergency."

The bill was read second time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 309 was then passed to engrossment.

HOUSE BILL NO. 309 ON THIRD READING

Mr. Lange moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 309 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Adamson	Ford
Aikin	Fox
Alexander	Frazer
Alsup	Fuchs
Atchison	Gibson
Beck	Glass
Bergman	Gray
Bourne	Hankamer
Bradbury	Hardin
Broyles	Harris of Archer
Burton	Harris of Dallas
Butler of Brazos	Hartzog
Butler of Karnes	Head
Cagle	Herzik
Canon	Hodges
Clayton	Holland
Collins	Hoskins
Cooper	Howard
Craddock	Huddleston
Daniel	Hunt
Davison of Fisher	Hunter
Davisson	Hyder
of Eastland	Jackson
Dickison	James
Dunlap of Hays	Jefferson
Dunlap of Kleberg	Jones of Atascosa
Dwyer	Jones of Falls
Fain	Jones of Runnels
Farmer	Jones of Shelby
Fisher	Jones of Wise

Keefe	Quinn
King	Reader
Knetsch	Reed of Dallas
Lange	Riddle
Lanning	Roach of Angelina
Latham	Roach of Hunt
Lemens	Roark
Leonard	Russell
Lindsey	Rutta
Lucas	Scarborough
Mauritz	Settle
McCalla	Shofner
McConnell	Smith
McFarland	Spears
McKee	Steward
McKinney	Stinson
Moffett	Stovall
Moore	Tarwater
Morris	Tennyson
Morrison	Thornton
Morse	Tillery
Newton	Waggoner
Nicholson	Walker
Olsen	Wells
Padgett	Westfall
Palmer	Wood of Harrison
Patterson	Wood of Montague
Payne	Worley
Petsch	Young
Pope	Youngblood
Absent	
Adkins	Good
Ash	Graves
Bradford	Hill
Calvert	Hofheinz
Celaya	Hughes
Colson	Leath
Cowley	Lotief
Crossley	Luker
Davis	Roane
Dunagan	Roberts
Duvall	Rogers
England	Stanfield
Fitzwater	Venable
Absent—Excused	
Caldwell	Greathouse
Colquitt	Reed of Bowie
The Speaker then laid House Bill No. 309 before the House on its third reading and final passage.	
The bill was read third time, and was passed by the following vote:	
Yeas—127	
Adamson	Bradbury
Aikin	Broyles
Alexander	Burton
Alsup	Butler of Brazos
Atchison	Butler of Karnes
Beck	Cagle
Bergman	Calvert
Bourne	Canon
Clayton	
Collins	
Cooper	
Craddock	
Crossley	
Daniel	
Davis	
Davison of Fisher	
Davisson of Eastland	
Dickison	
Dunagan	
Dunlap of Hays	
Dunlap of Kleberg	
Duvall	
Dwyer	
England	
Fain	
Farmer	
Fisher	
Fitzwater	
Ford	
Fox	
Frazier	
Fuchs	
Gibson	
Glass	
Good	
Gray	
Hankamer	
Hardin	
Harris of Archer	
Harris of Dallas	
Hartzog	
Head	
Herzik	
Hodges	
Holland	
Hoskins	
Howard	
Huddleston	
Hunt	
Hunter	
Hyder	
Jackson	
James	
Jefferson	
Jones of Atascosa	
Jones of Falls	
Jones of Runnels	
Jones of Shelby	
Jones of Wise	
Keefe	
King	
Knetsch	
Lange	
Lanning	
Latham	
Lemens	
Leonard	
Lindsey	
Lucas	
Mauritz	
McCalla	
McConnell	
McFarland	
McKee	
McKinney	
Moffett	
Moore	
Morris	
Morrison	
Morse	
Newton	
Nicholson	
Olsen	
Padgett	
Palmer	
Patterson	
Payne	
Pope	
Reader	
Reed of Dallas	
Riddle	
Roach of Hunt	
Roane	
Roark	
Russell	
Rutta	
Scarborough	
Settle	
Shofner	
Smith	
Spears	
Stanfield	
Steward	
Stinson	
Stovall	
Tarwater	
Tennyson	
Thornton	
Tillery	
Venable	
Waggoner	
Walker	
Wells	
Westfall	
Wood of Harrison	
Wood of Montague	
Worley	
Young	
Youngblood	
Present—Not Voting	
Quinn	
Absent	
Adkins	Graves
Ash	Hill
Bradford	Hofheinz
Celaya	Hughes
Colson	Leath
Cowley	Lotief

Luker
Petsch
Roach of Angelina

Roberts
Rogers

Absent—Excused

Caldwell
Colquitt

Greathouse
Reed of Bowie

HOUSE BILL NO. 47 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 47, A bill to be entitled "An Act to amend Sections 3, 5, 11, and 16 of House Bill No. 500, the Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

The bill was read second time.

Mr. Leonard offered the following committee amendment to the bill:

Amend House Bill No. 47 by striking out all below the enacting clause and inserting in lieu thereof the following:

Be it enacted by the Legislature of the State of Texas:

Section 1. Section three (3) of House Bill No. 500 of the Acts of the Regular Session of the Forty-second Legislature is hereby amended so as to hereafter read as follows:

"Section 3. That within the purpose and meaning of this Act, pomelos (grapefruit) shall be deemed to be mature only when the ratio of total soluble solids of the juice thereof to anhydrous citric acid is as follows:

"(a) When the total soluble solids of the juice is not less than nine per cent (9%), the minimum ratio of total soluble solids to the anhydrous citric acid shall be seven and two-tenths to one (7.2-1).

"(b) When the total soluble solids of the juice is not less than ten per cent (10%), the minimum ratio of total soluble solids to the anhydrous citric acid shall be seven to one (7-1).

"(c) When the total soluble solids of the juice is not less than eleven per cent (11%), the minimum ratio of total soluble solids to the anhydrous citric acid shall be six and eight-tenths to one (6.8-1).

"(d) When the total soluble solids of the juice is not less than eleven and one-half per cent (11.5%), the minimum ratio of total soluble solids to the anhydrous citric acid shall be six and one-half to one (6.5-1).

"(e) That within the meaning and purpose of this Act, oranges shall be deemed to be mature when the juice thereof contains not less than eight per centum (8%) of the total soluble solids to each part of the anhydrous citric acid.

"(f) In determining the total soluble solids, the Brix hydrometer shall be used and the reading of the hydrometer corrected for temperature shall be considered as the per centum of the total soluble solids. Anhydrous citric acid shall be determined by titration of the juice, using standard alkali and phenolphthalein as the indicator, the total acidity being calculated as anhydrous citric acid.

"(g) All citrus fruit not conforming to the above standards upon official test shall be deemed and held to be immature within the meaning of this act.

"Section 3a. It is provided, however, that in addition to the above maturity requirements and standards set out in Section 2 above, the Commissioner of Agriculture may prescribe additional seasonal requirements from time to time to the end that citrus fruit shall at all times be fit for human consumption before being offered for sale."

Section 2. Section five (5) of House Bill No. 500 of the Acts of the Regular Session of the Forty-second Legislature is hereby amended so as to hereafter read as follows:

"Section 5. Any vendor, carrier, or shipper of citrus fruit between the dates of September 1 and December 15, both dates inclusive, each year shall pay the Commissioner of Agriculture of this State a fee of not more than two and one-half cents (2½c) each for each box of citrus fruit by him or them sold or transported or delivered for transportation; or when such fruit is sold or transported in one-half boxes, bushel baskets, or other containers less than half the standard size one and three-fifths (1 3/5) bushel box, the fee shall be not more than one and one-half cents (1½c) for each such basket, container or half box; or when such fruit is packed, sold, or transported in containers other than standard, the fee shall be not more than two and one-half cents (2½c) for each eighty (80) pounds or fraction thereof of such fruit. The amount of the fees referred to in this section shall

be reduced by the Commissioner to a figure commensurate with the amount of surplus fees in the fund, which surplus amount shall be taken into consideration by the Commissioner in estimating the amount of fees to be assessed for the administration of this Act for the following shipping season. It is the intention of this section that such fees shall be fixed as nearly as possible with reference to the cost of the administration of this Act.

"Such fees shall be due and payable when the fruit is prepared for market or transportation, and payment thereof shall be evidenced by stamps, as hereinafter provided. And it shall be unlawful to sell, deliver, transport, or deliver for transportation, or receive for transportation, any citrus fruit, payment of the fee for which is not evidenced by proper stamps affixed to the containers, said stamps to be provided by the Commissioner of Agriculture. Provided, however, that the provisions of this section shall not apply to the transportation or carriage of fruit from groves to packing houses within the citrus zone.

"Section 3. Section 11. The salary of each citrus fruit inspector or 'Special Citrus Fruit Inspector' shall be at the rate of not more than one hundred and fifty dollars (\$150) per month, and in addition thereto said inspector may receive his necessary traveling and other expenses incurred by him in the discharge of his duties as such inspector, which shall be paid, upon approval of accounts therefor, by the Commissioner of Agriculture. The Commissioner of Agriculture is hereby authorized to employ a Chief of Maturity Division at a salary of not to exceed two hundred dollars (\$200) per month, and such additional field and other agents and clerical assistance, at such times and for such periods, and to incur and pay any other expenses, including traveling expenses of the Commissioner of Agriculture, during the citrus fruit season, as may be necessary for the effective enforcement of this Act, and to secure the payment of the inspection fees hereby imposed under the authority of this Act.

"In cases of emergency or necessity where no citrus fruit inspector is available for the inspection of citrus fruit in any particular locality in this State, the Commissioner of Agriculture may designate some fit and com-

petent individual to inspect, test, and certify as to such fruit offered for sale or transportation in such locality. Certificates made or issued by such designated individuals shall be signed by him as 'Special Citrus Fruit Inspector'; he shall not be required to give bond, but shall be subject to the penalties imposed by this Act for violation of any of the provisions thereof."

Section 4. Section 16 of House Bill No. 500 of the Acts of the Regular Session of the Forty-second Legislature is hereby amended so as to hereafter read as follows:

"Section 16. All monies received by the Commissioner of Agriculture for inspection fees and certificates of inspection and maturity shall be paid by him to the State Treasurer, who shall deposit said monies in a special fund to be known as 'Citrus Fruit Inspecting Fund,' which shall be a continuing fund.

"The Commissioner is hereby authorized and empowered to use the monies in said fund in defraying the expenses of the administration of this Act.

"Section 18. The fact that the law in force at present in this State making unlawful the sale or marketing of immature, unripe, overripe, or frost-damaged citrus fruit is so highly dissatisfactory as to create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each house, be suspended, and said rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 47 was then passed to engrossment.

HOUSE BILL NO. 47 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 47 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Adamson	Jones of Shelby
Adkins	Jones of Wise
Aikin	Keefe
Alexander	Knetsch
Alsup	Lange
Atchison	Lanning
Beck	Latham
Bergman	Leath
Bradbury	Lemens
Broyles	Leonard
Burton	Lindsey
Butler of Brazos	Lucas
Butler of Karnes	McCalla
Cagle	McConnell
Canon	McFarland
Clayton	McKee
Collins	Moffett
Colson	Moore
Cooper	Morris
Craddock	Morrison
Daniel	Newton
Davis	Nicholson
Davison of Fisher	Olsen
Davisson	Padgett
of Eastland	Palmer
Dunlap of Hays	Patterson
England	Payne
Fain	Petsch
Farmer	Quinn
Fisher	Reed of Dallas
Fitzwater	Riddle
Ford	Roach of Angelina
Fox	Roach of Hunt
Frazer	Roane
Fuchs	Roark
Glass	Russell
Good	Rutta
Gray	Scarborough
Hankamer	Settle
Harris of Archer	Shofner
Harris of Dallas	Smith
Hartzog	Spears
Head	Stanfield
Herzik	Steward
Hodges	Stinson
Holland	Stovall
Hoskins	Tarwater
Howard	Tennyson
Huddleston	Thornton
Hunt	Venable
Hyder	Waggoner
Jackson	Walker
James	Wells
Jefferson	Wood of Harrison
Jones of Atascosa	Wood of Montague
Jones of Falls	Worley
Jones of Runnels	Youngblood

Present—Not Voting

Hardin

Absent

Ash	Calvert
Bourne	Celaya
Bradford	Cowley

Crossley	Lotief
Dickison	Luker
Dunagan	Mauritz
Dunlap of Kleberg	McKinney
Duvall	Morse
Dwyer	Pope
Gibson	Reader
Graves	Roberts
Hill	Rogers
Hofheinz	Tillery
Hughes	Westfall
Hunter	Young
King	

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

The Speaker then laid House Bill No. 47 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—117

Adamson	Hartzog
Aikin	Head
Alexander	Herzik
Alsup	Hodges
Beck	Holland
Bergman	Hoskins
Bourne	Howard
Bradbury	Huddleston
Bradford	Hunt
Broyles	Hyder
Burton	Jackson
Butler of Brazos	James
Butler of Karnes	Jefferson
Cagle	Jones of Atascosa
Canon	Jones of Falls
Clayton	Jones of Runnels
Collins	Jones of Shelby
Colson	Jones of Wise
Cooper	Keefe
Cowley	Knetsch
Craddock	Lange
Crossley	Lanning
Daniel	Latham
Davis	Leath
Davison of Fisher	Lemens
Davisson	Leonard
of Eastland	Lindsey
Dunlap of Hays	Lucas
Dunlap of Kleberg	Mauritz
England	McCalla
Farmer	McConnell
Fisher	McKee
Fitzwater	McKinney
Ford	Moffett
Fox	Moore
Frazer	Morris
Fuchs	Morrison
Gibson	Newton
Glass	Nicholson
Hankamer	Olsen
Harris of Archer	Padgett
Harris of Dallas	Palmer

Patterson	Spears
Payne	Stanfield
Petsch	Steward
Pope	Stinson
Quinn	Stovall
Reed of Dallas	Tarwater
Riddle	Tennyson
Roach of Angelina	Thornton
Roach of Hunt	Tillery
Roane	Venable
Roark	Waggoner
Russell	Walker
Rutta	Wells
Scarborough	Wood of Harrison
Settle	Wood of Montague
Shofner	Worley
Smith	Youngblood

Nays—2

Fain Gray

Present—Not Voting

Hardin

Absent

Adkins	Hughes
Ash	Hunter
Atchison	King
Calvert	Lotief
Celaya	Luker
Dickison	McFarland
Dunagan	Morse
Duvall	Reader
Dwyer	Roberts
Good	Rogers
Graves	Westfall
Hill	Young
Hofheinz	

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 6, 1935.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has passed

S. B. No. 118, A bill to be entitled
"An Act to amend Section 4, Senate
Bill No. 9, Chapter 5, Acts Second
Called Session, Forty-third Legisla-
ture, and declaring an emergency."

S. B. No. 154, A bill to be entitled
"An Act amending Sections 3, 4, 6,
9, and 12 of Chapter 13, Acts of the
Second Called Session of the Forty-
first Legislature, creating the Brazos
River Conservation and Reclamation
District under the authority of Sec-
tion 59 of Article XVI of the Consti-

tution of Texas and defining powers
and duties of said district, and de-
claring an emergency."

S. B. No. 157, A bill to be entitled
"An Act amending Articles 2725 and
2746a of the Revised Civil Statutes
of Texas, 1925, providing for elec-
tions in certain school districts, and
for the payment of the expenses there-
of, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 225 ON SECOND
READING

The Speaker laid before the House,
on its second reading and passage to
engrossment,

H. B. No. 225, A bill to be entitled
"An Act to amend Acts of 1927,
Fortieth Legislature, First Called
Session, Chapter 80, by adding there-
to Section 9a, providing for the levy-
ing of a tax annually against the
property in each of the counties com-
posing a road district, composed of
two or more counties, for the purpose
of securing rights of way within such
district for such highways as such
districts were created to construct,
maintain, and operate, or acquire, and
for the maintenance of such district
highways as are not maintained by
the State as State highways, and de-
claring an emergency."

The bill was read second time.

Mr. Hankamer offered the follow-
ing committee amendments to the
bill:

(1)

Amend House Bill No. 225 by in-
serting a ";" after the word "taxes"
in Section 1, line 5, page 2, of origi-
nal bill, and by inserting between the
words "taxes" and "The," in Section
1, line 5, page 2, of original bill, the
following:

"Provided, however, that before any
such tax is levied by the commission-
ers' court of the respective counties
composing such district, the question
of the levying of such tax shall be
submitted to the qualified voters of
such counties composing such district
for approval or rejection by said
voters at an election to be called, held,
and conducted for such purpose in
the manner now prescribed by law
for the calling, holding, and conduct-
ing of elections."

(2)

Amend caption of bill to conform with changes in the body of bill.

The amendments were severally adopted.

House Bill No. 225 was then passed to engrossment.

HOUSE BILL NO. 225 ON THIRD READING

Mr. Hankamer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 225 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Adamson	Head
Aikin	Hodges
Alsup	Holland
Beck	Hoskins
Bergman	Howard
Bourne	Huddleston
Bradbury	Hunt
Broyles	Hunter
Burton	Hyder
Butler of Brazos	Jackson
Butler of Karnes	James
Canon	Jefferson
Celaya	Jones of Falls
Clayton	Jones of Runnels
Collins	Jones of Shelby
Colson	Jones of Wise
Cooper	Keefe
Craddock	Knetsch
Crossley	Lanning
Daniel	Latham
Davis	Lemens
Davison of Fisher	Lindsey
Davisson	Lucas
of Eastland	McCalla
Dunagan	McConnell
Dunlap of Hays	McFarland
Dunlap of Kleberg	McKinney
Duvall	Moffett
England	Moore
Fain	Morris
Farmer	Morrison
Fisher	Morse
Fitzwater	Newton
Ford	Patterson
Fox	Payne
Frazer	Petsch
Fuchs	Reed of Dallas
Gibson	Riddle
Glass	Roach of Angelina
Graves	Roach of Hunt
Gray	Roane
Hankamer	Roark
Harris of Archer	Rogers
Harris of Dallas	Russell

Rutta
Scarborough
Settle
Shofner
Smith
Spears
Stanfield
Stinson
Stovall
Tarwater

Tennyson
Thornton
Tillery
Venable
Waggoner
Walker
Wells
Wood of Harrison
Wood of Montague
Youngblood

Present—Not Voting

Hardin
Luker

Quinn

Absent

Adkins
Alexander
Ash
Atchison
Bradford
Cagle
Calvert
Cowley
Dickison
Dwyer
Good
Hartzog
Herzik
Hill
Hofheinz
Hughes
Jones of Atascosa
King

Lange
Leath
Leonard
Lotief
Mauritz
McKee
Nicholson
Olsen
Padgett
Palmer
Pope
Reader
Roberts
Steward
Westfall
Worley
Young

Absent—Excused

Caldwell
Colquitt

Greathouse
Reed of Bowie

The Speaker then laid House Bill No. 225 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—114

Adamson
Adkins
Aikin
Alsup
Atchison
Beck
Bergman
Bourne
Bradbury
Bradford
Broyles
Burton
Butler of Brazos
Butler of Karnes
Canon
Celaya
Clayton
Collins
Colson
Cooper
Craddock

Crossley
Daniel
Davis
Davison of Fisher
Davisson
of Eastland
Dunlap of Hays
Dunlap of Kleberg
Duvall
England
Fain
Farmer
Fisher
Fitzwater
Ford
Fox
Frazer
Fuchs
Gibson
Glass
Graves

Gray	Morrison
Hankamer	Morse
Harris of Archer	Newton
Harris of Dallas	Nicholson
Head	Olsen
Hodges	Padgett
Holland	Patterson
Howard	Reed of Dallas
Huddleston	Riddle
Hunt	Roach of Angelina
Hunter	Roach of Hunt
Hyder	Roark
Jackson	Roberts
James	Rogers
Jones of Atascosa	Russell
Jones of Falls	Rutta
Jones of Runnels	Scarborough
Jones of Shelby	Settle
Jones of Wise	Shofner
Keefe	Smith
Knetsch	Spears
Lange	Stanfield
Lanning	Steward
Latham	Stinson
Lemens	Stovall
Leonard	Tarwater
Lindsey	Tennyson
Lucas	Thornton
Mauritz	Tillery
McCalla	Venable
McConnell	Waggoner
McFarland	Walker
McKee	Wells
McKinney	Wood of Harrison
Moffett	Wood of Montague
Moore	Youngblood
Morris	

Present—Not Voting

Hardin	Quinn
Luker	

Absent

Alexander	Hughes
Ash	Jefferson
Cagle	King
Calvert	Leath
Cowley	Lotief
Dickison	Palmer
Dunagan	Payne
Dwyer	Petsch
Good	Pope
Hartzog	Reader
Herzik	Roane
Hill	Westfall
Hofheinz	Worley
Hoskins	Young

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

HOUSE BILL NO. 258 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 258, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 15,650 nor more than 15,700, according to the last Federal Census, and in counties with a population of not less than 9,400 nor more than 9,500, according to the last Federal Census, and declaring an emergency."

The bill was read second time.

Mr. Jones of Atascosa offered the following committee amendment to the bill:

Amend House Bill No. 258 by adding after the word "census" in line 5, the following:

"And in counties with a population of not less than twenty-three thousand three hundred (23,300) nor more than twenty-three thousand four hundred (23,400), according to the last Federal Census."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 258 was then passed to engrossment.

HOUSE BILL NO. 258 ON THIRD
READING

Mr. Jones of Atascosa moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 258 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Adamson	Craddock
Adkins	Crossley
Aikin	Daniel
Alsup	Davis
Atchison	Davison of Fisher
Beck	Davisson
Bergman	of Eastland
Bourne	Dickison
Bradbury	Dunlap of Hays
Broyles	Dunlap of Kleberg
Burton	Duvall
Butler of Brazos	England
Butler of Karnes	Fain
Canon	Farmer
Celaya	Fisher
Clayton	Fitzwater
Collins	Ford
Colson	Fox
Cooper	Frazer

Fuchs	Morris
Gibson	Morrison
Graves	Newton
Gray	Nicholson
Hankamer	Olsen
Harris of Archer	Padgett
Harris of Dallas	Patterson
Head	Payne
Hodges	Quinn
Hoskins	Reader
Howard	Reed of Dallas
Huddleston	Riddle
Hunt	Roach of Angelina
Hunter	Roach of Hunt
Hyder	Roark
Jackson	Rogers
James	Russell
Jefferson	Rutta
Jones of Atascosa	Scarborough
Jones of Falls	Settle
Jones of Runnels	Shofner
Jones of Shelby	Smith
Jones of Wise	Spears
Keefe	Stanfield
King	Steward
Knetsch	Stinson
Lanning	Stovall
Leath	Tarwater
Leonard	Tennyson
Lindsey	Thornton
Lucas	Tillery
Mauritz	Venable
McCalla	Waggoner
McConnell	Walker
McFarland	Wells
McKee	Wood of Harrison
McKinney	Wood of Montague
Moffett	Youngblood
Moore	

Present—Not Voting

Hardin	Luker
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Absent

Alexander	Hughes
Ash	Lange
Bradford	Latham
Cagle	Lemens
Calvert	Lotief
Cowley	Morse
Dunagan	Palmer
Dwyer	Petsch
Glass	Pope
Good	Roane
Hartzog	Roberts
Herzik	Westfall
Hill	Worley
Hofheinz	Young
Holland	

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

The Speaker then laid House Bill No. 258 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—114

Adamson	Jones of Runnels
Adkins	Jones of Shelby
Aikin	Jones of Wise
Alsup	King
Atchison	Knetsch
Beck	Lanning
Bergman	Leath
Bourne	Lemens
Bradbury	Lindsey
Broyles	Leonard
Burton	Lucas
Butler of Brazos	Mauritz
Butler of Karnes	McCalla
Canon	McConnell
Celaya	McFarland
Clayton	McKee
Collins	McKinney
Colson	Moffett
Cooper	Moore
Craddock	Morris
Crossley	Morrison
Daniel	Morse
Davis	Newton
Davison of Fisher	Nicholson
Davisson	Olsen
of Eastland	Padgett
Dickison	Patterson
Dunlap of Hays	Payne
Duvall	Reader
England	Reed of Dallas
Fain	Riddle
Farmer	Roach of Angelina
Fisher	Roach of Hunt
Fitzwater	Roark
Ford	Rogers
Fox	Russell
Frazer	Rutta
Fuchs	Scarborough
Gibson	Settle
Glass	Shofner
Gray	Smith
Hankamer	Spears
Harris of Archer	Stanfield
Harris of Dallas	Steward
Head	Stinson
Herzik	Stovall
Hodges	Tarwater
Hoskins	Tennyson
Howard	Thornton
Huddleston	Tillery
Hunt	Venable
Hunter	Waggoner
Hyder	Walker
Jackson	Wells
James	Wood of Harrison
Jefferson	Wood of Montague
Jones of Atascosa	Youngblood
Jones of Falls	

Present—Not Voting

Luker

Absent

Alexander	Holland
Ash	Hughes
Bradford	Keefe
Cagle	Lange
Calvert	Latham
Cowley	Lotief
Dunagan	Palmer
Dunlap of Kleberg	Petsch
Dwyer	Pope
Good	Quinn
Graves	Roane
Hardin	Roberts
Hartzog	Westfall
Hill	Worley
Hofheinz	Young

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

HOUSE BILL NO. 416 ON SECOND
READING

Mr. Duvall moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 416 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Adamson	Farmer
Adkins	Fisher
Aikin	Fitzwater
Alsup	Fox
Atchison	Fuchs
Beck	Gibson
Bergman	Glass
Bourne	Graves
Bradbury	Gray
Broyles	Hankamer
Burton	Harris of Archer
Butler of Brazos	Harris of Dallas
Canon	Head
Celaya	Herzik
Clayton	Hodges
Collins	Hoskins
Colson	Howard
Cooper	Huddleston
Craddock	Hunt
Crossley	Hunter
Daniel	Hyder
Davis	Jackson
Davison of Fisher	James
Davisson	Jefferson
of Eastland	Jones of Falls
Dunlap of Hays	Jones of Runnels
Dunlap of Kleberg	Jones of Shelby
Duvall	Jones of Wise
England	Keefe
Fain	King

Knetsch	Riddle
Leath	Roach of Hunt
Lemens	Roane
Leonard	Roark
Lindsey	Russell
Lucas	Rutta
Mauritz	Scarborough
McCalla	Shofner
McConnell	Smith
McFarland	Spears
McKee	Stanfield
Moffett	Steward
Moore	Stinson
Morris	Stovall
Morrison	Tarwater
Morse	Tennyson
Newton	Thornton
Nicholson	Tillery
Olsen	Venable
Padgett	Waggoner
Patterson	Walker
Payne	Wells
Pope	Wood of Harrison
Reader	Wood of Montague
Reed of Dallas	Youngblood

Absent

Alexander	Hughes
Ash	Jones of Atascosa
Bradford	Lange
Butler of Karnes	Lanning
Cagle	Latham
Calvert	Lotief
Cowley	Luker
Dickison	McKinney
Dunagan	Palmer
Dwyer	Petsch
Ford	Quinn
Frazer	Roach of Angelina
Good	Roberts
Hardin	Rogers
Hartzog	Settle
Hill	Westfall
Hofheinz	Worley
Holland	Young

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 416, A bill to be entitled "An Act to establish a system of public roads and bridges for all counties in this State having a population of more than one hundred and sixty thousand (160,000) inhabitants and less than two hundred and thirty thousand (230,000) inhabitants, according to the last preceding Federal Census, wherein is situated an incorporated city having a population in excess of one hundred thousand

(100,000) inhabitants, according to the last preceding Federal Census, and to empower the commissioners courts thereof to provide rules and regulations therefor, etc., and declaring an emergency."

The bill was read second time.

Mr. Farmer offered the following committee amendment to the bill:

Amend House Bill No. 416 as follows: At top of page 12, line 1, so as to read "annual salary of forty-two hundred dollars (\$4,200)."

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 416 to read as follows: "Thirty-six hundred dollars (\$3,600)."

Mr. Duvall moved to table the amendment to the committee amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—30

Clayton	McKinney
Collins	Morse
Cooper	Newton
Crossley	Olsen
Daniel	Padgett
Duvall	Riddle
Hoskins	Roark
Hunter	Rogers
Hyder	Russell
Jackson	Scarborough
James	Smith
Jefferson	Steward
Jones of Atascosa	Thornton
Leath	Wells
McKee	Youngblood

Nays—57

Adkins	Fox
Aikin	Fuchs
Atchison	Gibson
Bradbury	Glass
Broyles	Gray
Burton	Hardin
Cagle	Harris of Archer
Canon	Hodges
Craddock	Huddleston
Davis	Hunt
Davison of Fisher	Jones of Falls
Davison	Jones of Runnels
of Eastland	Jones of Shelby
Fain	Jones of Wise
Farmer	Keefe
Fitzwater	King

Lemens	Payne
Lindsey	Quinn
Lucas	Roach of Angelina
Luker	Roach of Hunt
McConnell	Roane
McFarland	Shofner
Moffett	Stanfield
Moore	Stinson
Morris	Tarwater
Morrison	Tennyson
Nicholson	Walker
Palmer	Wood of Harrison
Patterson	Wood of Montague

Present—Not Voting

Alexander	Mauritz
Alsup	McCalla
Bergman	Reader
Bourne	Reed of Dallas
Bradford	Rutta
England	Venable
Fisher	Waggoner
Harris of Dallas	Worley
Lanning	

Absent

Adamson	Herzik
Ash	Hill
Beck	Hofheinz
Butler of Brazos	Holland
Butler of Karnes	Howard
Calvert	Hughes
Celaya	Knetsch
Colson	Lange
Cowley	Latham
Dickison	Leonard
Dunagan	Lotief
Dunlap of Hays	Petsch
Dunlap of Kleberg	Pope
Dwyer	Roberts
Ford	Settle
Frazer	Spears
Good	Stovall
Graves	Tillery
Hankamer	Westfall
Hartzog	Young
Head	

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

Question recurring on the amendment to the committee amendment, it was adopted.

The committee amendment, as amended, was then adopted.

House Bill No. 416 was then passed to engrossment.

HOUSE BILL NO. 416 ON THIRD READING

The Speaker then laid House Bill No. 416 before the House on its third reading and final passage.

The bill was read third time, and was passed.

Mr. Duvall moved to reconsider the vote by which House Bill No. 416 was passed.

The motion to reconsider prevailed.

House Bill No. 416 was then passed by the following vote:

Yeas—117

Adamson	Jefferson
Adkins	Jones of Atascosa
Aikin	Jones of Falls
Alexander	Jones of Runnels
Alsup	Jones of Shelby
Atchison	Jones of Wise
Beck	Keefe
Bourne	King
Bradbury	Knetsch
Broyles	Lanning
Burton	Leath
Butler of Brazos	Lemens
Butler of Karnes	Leonard
Cagle	Lindsey
Canon	Lucas
Celaya	Luker
Clayton	Mauritz
Collins	McCalla
Colson	McConnell
Cooper	McFarland
Cowley	McKinney
Craddock	Moffett
Crossley	Moore
Daniel	Morris
Davis	Morrison
Davison of Fisher	Morse
Davison of Eastland	Newton
Dickison	Nicholson
Dunlap of Hays	Padgett
Duvall	Palmer
England	Patterson
Fain	Quinn
Farmer	Reader
Fisher	Reed of Dallas
Fitzwater	Riddle
Fox	Roach of Angelina
Frazer	Roach of Hunt
Fuchs	Roane
Gibson	Roark
Glass	Rogers
Graves	Russell
Gray	Rutta
Hankamer	Settle
Hardin	Shofner
Harris of Archer	Smith
Harris of Dallas	Spears
Herzik	Stanfield
Hodges	Steward
Holland	Stinson
Hoskins	Stovall
Hunt	Tarwater
Hunter	Thornton
Hyder	Tillery
Jackson	Venable
James	Waggoner
	Walker

Wells	Worley
Wood of Harrison	Young
Wood of Montague	Youngblood

Absent

Ash	Huddleston
Bergman	Hughes
Bradford	Lange
Calvert	Latham
Dunagan	Lotief
Dunlap of Kleberg	McKee
Dwyer	Olsen
Ford	Payne
Good	Petsch
Hartzog	Pope
Head	Roberts
Hill	Scarborough
Hofheinz	Tennyson
Howard	Westfall

Absent—Excused

Caldwell	Greathouse
Colquitt	Reed of Bowie

EXTENDING AN INVITATION TO HON. D. E. COLP

Mr. Hoskins offered the following resolution:

Whereas, The Hon. D. E. Colp, chairman of the State Parks Board, has a great many beautiful and interesting colored slides of the various State Parks, including Palo Dura, the Davis Mountains, and the Big Bend State Parks; and

Whereas, He would like to exhibit them before the Chamber of the House of Representatives, in order to familiarize the various members and their friends with the beauty of these natural and educational features of our State, and of the great work that has been done by the State Parks Board in acquiring these State Parks; therefore, be it

Resolved, That the House of Representatives extend an invitation to the Hon. D. E. Colp, or his assistant, to appear in the House of Representatives on Wednesday night, February 6, 1935, at 7 o'clock p. m., to exhibit these splendid reproductions of our State Parks.

The resolution was read second time, and was adopted.

ADDRESS BY HON. W. A. TARVER

Mr. Wells offered the following resolution:

Whereas, There is now on the floor of the House the Hon. W. A. Tarver, former Insurance Commissioner of the State of Texas, and present chief

counsel of the Taxes and Penalties Unit of the Department of Justice of the United States; and

Whereas, Mr. Tarver is a well-known Texan and statesman, and we are glad to have him in our midst; therefore, be it

Resolved by the House of Representatives, That the Hon. W. A. Tarver be invited to address the House at 11:55 a. m., February 6, 1935.

WELLS,
MORSE.

The resolution was read second time, and was adopted.

In accordance with the above action, Mr. Tarver having been escorted to the Speaker's stand by Mr. Wells and Mr. Morse, Speaker Stevenson presented Hon. Joe Kelton Wells.

Mr. Wells then introduced Hon. W. A. Tarver.

Mr. Tarver addressed the House.

(Mr. Wells in the Chair.)

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 154, to the Committee on Conservation and Reclamation.

Senate Bill No. 157, to the Committee on Education.

Senate Bill No. 118, to the Committee on Education.

ADJOURNMENT

Mr. Fuchs moved that the House adjourn until 10 o'clock a. m., tomorrow.

Mr. Lemens moved that the House recess to 10 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Fuchs, it prevailed, and the House, accordingly, at 12:10 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Appropriations: House Bill No. 417.
Constitutional Amendments: House Joint Resolutions Nos. 3 and 9.

Counties: House Bill No. 416.

Insurance: House Bills Nos. 16 and 99.

Judiciary: House Bills Nos. 403 and 404.

Public Health: House Bills Nos. 383 and 384.

The following committees have filed adverse reports, with minority favorable reports, on bills and resolutions, as follows:

Constitutional Amendments: House Joint Resolutions Nos. 24 and 27.

Insurance: House Bill No. 54.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, February 4, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 135, A bill to be entitled "An Act to amend Section 1 of an Act passed by the Forty-third Legislature of the State of Texas, and being Senate Bill No. 561, Chapter 160, and published at length in the General Laws, Regular Session of the Forty-third Legislature, at pages 406 to 407, etc., and declaring an emergency,"

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, February 5, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 172, "An Act repealing Senate Bill No. 566, Chapter 185, and House Bill No. 104, Chapter 84, Acts of the Forty-third Legislature in its Regular Session in 1933, and to amend Sections 1, 2, and 6, Chapter 148, of the General Laws passed by the Forty-second Legislature in its Regular Session in 1931, relating to the authority of counties and incorporated cities and the Texas State Parks Board, separately, or in co-operation with each other, to acquire, by gift or purchase, land for public parks; providing that lands to be ac-

quired by any such city may be situated within or without its corporate limits, in the discretion of the governing body thereof, but within the county in which such city is situated; authorizing the issuance of bonds by any such city and/or county for park purposes; adding to said Chapter 148 a new section to be called Section 2a, legalizing, approving, and validating bonds voted by any city, town and/or county for the purpose of purchasing and improving lands for a public park in and for said city, town and/or county, and the levy of the tax in payment of such bonds under authority of Chapter 148 of the General Laws passed at the Regular Session of the Forty-second Legislature, and which bonds have been approved by the Attorney General and registered by the Comptroller; authorizing the governing body of any such city, town, and/or county to adopt all orders, resolutions and ordinances and to do all other and further acts necessary in the issuance or sale of such bonds; authorizing such governing body to levy a direct general ad valorem tax on all taxable property in said city, town, and/or county for the purpose of paying the interest on and principal of such bonds; prescribing the maximum tax that may be levied in payment of bonds, issued by cities, towns, and/or counties for park purposes; providing that nothing herein shall be construed as a repeal of any special charter, but that the provisions hereof shall be cumulative of any such special charter; repealing all provisions of the General Statutes in conflict herewith, and particularly repealing House Bill No. 104, and Senate Bill No. 566, passed at the Regular Session of the Forty-third Legislature in 1933; declaring the legislative intent in respect of the enactment of said Chapter 148 of the General Laws of the Forty-second Legislature, Regular Session; enacting provisions incident and necessary to the subject and purposes of this Act, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

TWENTY-FIRST DAY

(Thursday, February 7, 1935)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called and the following members were present:

Mr. Speaker	Holland
Adamson	Hoskins
Adkins	Howard
Aikin	Huddleston
Alexander	Hughes
Alsup	Hunt
Ash	Hunter
Atchison	Hyder
Beck	Jackson
Bergman	James
Bourne	Jefferson
Bradbury	Jones of Atascosa
Bradford	Jones of Falls
Broyles	Jones of Runnels
Burton	Jones of Shelby
Butler of Brazos	Jones of Wise
Butler of Karnes	Keefe
Cagle	King
Caldwell	Knetsch
Calvert	Lange
Canon	Lanning
Celaya	Latham
Clayton	Leath
Collins	Lemens
Colson	Leonard
Cooper	Lindsey
Cowley	Lucas
Craddock	Luker
Crossley	Mauritz
Daniel	McCalla
Davis	McConnell
Davison of Fisher	McFarland
Davisson	McKee
of Eastland	McKinney
Dickison	Moffett
Dunagan	Moore
Dunlap of Hays	Morris
Dunlap of Kleberg	Morrison
Duvall	Morse
Dwyer	Newton
England	Nicholson
Fain	Olsen
Farmer	Padgett
Fisher	Palmer
Fitzwater	Patterson
Ford	Payne
Fox	Petsch
Frazer	Pope
Fuchs	Quinn
Gibson	Reader
Glass	Reed of Dallas
Good	Riddle
Graves	Roach of Angelina
Gray	Roach of Hunt
Hankamer	Roane
Hardin	Roark
Harris of Archer	Roberts
Harris of Dallas	Rogers
Hartzog	Russell
Head	Rutta
Herzik	Scarborough
Hill	Shofner
Hodges	Smith
Hofheinz	Spears